



STATE OF TENNESSEE
DEPARTMENT OF ENVIRONMENT AND CONSERVATION
NASHVILLE, TENNESSEE 37243-0435

ROBERT J. MARTINEAU, JR.
COMMISSIONER

BILL HASLAM
GOVERNOR

June 2, 2016

Via First Class and Electronic Mail to cpnicholson@tva.gov

Charles P. Nicholson

NEPA Compliance

Tennessee Valley Authority

400 West Summit Hill Drive, WT 11D

Knoxville, TN 37902

Dear Charles P. Nicholson:

The Tennessee Department of Environment and Conservation (TDEC) appreciates the opportunity to provide comments on the Tennessee Valley Authority (TVA) *Draft Environmental Assessment for the Selmer North II Solar Project* (Draft EA). The applicant, TVA, proposes to enter into a power purchase agreement (PPA) with Selmer North II, LLC, the facility-specific entity affiliated with Silicon Ranch Corporation (SRC), to purchase the electric power generated by a proposed solar photovoltaic (PV) facility in Selmer, McNairy County, Tennessee. The proposed solar facility would be constructed and operated by SRC. The PPA has been executed through TVA's Renewable Standard Offer (RSO) program, under which TVA agrees to purchase qualifying renewable energy at set prices for a 20-year period. The proposed Selmer II solar facility would occupy 73 acres of a 117-acre tract owned by SRC, approximately 1.5 miles west of Selmer. The solar generating facility would consist of multiple parallel rows of PV panels on single-axis tracking structures, power inverters, and transformers. The Selmer II facility would tie into an existing distribution line owned by Pickwick Electric Cooperative (Pickwick Electric), approximately 0.25 mile west of the project site, which would transmit power to the TVA network. Cost-effective renewable energy, including energy generated by solar PV, is one of the energy resources recommended in TVA's 2015 Integrated Resource Plan (IRP). The proposed PPA with Selmer North II, LLC is consistent with the alternative strategies evaluated in the 2015 IRP and the planning direction approved by the TVA Board of Directors in August 2015.

Actions considered in detail within the Draft EA include:

- Alternative A – No Action Alternative – Under the No Action Alternative, TVA would not purchase the power generated by the proposed solar facility under the 20-year PPA with Selmer North II, LLC. SRC would not construct and operate the solar facility and TVA would not connect them to its transmission system. Existing land use, natural resources, visual resources, and socioeconomics in the project area would remain unchanged. The property would remain as predominantly undeveloped and forest management activities would likely continue on site.
- Alternative B – Proposed Action Alternative – TVA would enter into a 20-year PPA with Selmer North II, LLC and SRC would construct and operate the Selmer II single-axis tracking PV solar power facility in McNairy County, Tennessee. The proposed Selmer II facility would occupy approximately 73 acres of

land in the center of a predominately undeveloped 117-acre parcel. The proposed Selmer II facility is located approximately 1.5 miles west of the town of Selmer, Tennessee and would connect to an existing distribution line owned by Pickwick Electric, approximately 0.25 mile west of the site along Sulphur Springs Road.

TDEC's **Division of Archaeology (DoA), Division of Air Pollution Control (APC), Tennessee Geological Survey (TGS), and Tennessee State Parks and Real Property Management** have reviewed the Draft EA and have no specific comments regarding the proposed action or its alternative.

TDEC's **Division of Natural Areas (DNA)** has reviewed the Draft EA with respect to rare species and critical habitat and has the following comments on the proposed action and its alternative:

- Based on the lack of suitable habitat for any state listed species or critical habitat within the site location, DNA does not anticipate adverse impacts to rare, threatened or endangered plant species.
- DNA comments that the state endangered Hatchie Burrowing Crayfish (*Fallicambarus hortoni*) may potentially be in the site location. Should this species be found in the immediate site location, DNA recommends that every effort be made to minimize impacts to the species.

TDEC'S **Division of Water Resources (DWR)** has reviewed the Draft EA and has the following comments on the proposed action and its alternative:

- DWR comments that it has issued ARAP permit #NRS16.125 under the name of McCarthy Building Company for this project site. This ARAP permit authorizes the construction of 60' of a 60" high-density polyethylene (HDPE) Pipe for access to the site and the construction of four stormwater outfalls from the onsite stormwater retention areas to unnamed tributaries to Oxford Creek.
- DWR has received an application for NPDES permit #TN0081825 from co-applicants Silicon Ranch Corporation and McCarthy Building Company, which is currently in the public notice phase of the permit process. This permit will authorize the grading and disruption of 98 acres of the site in preparation for solar panel installation and the stormwater runoff associated with construction activities from four outfalls at the project site.
- DWR recommends TVA and its contractors follow best management practices as outlined in the current and proposed permits and involve the division in any future water resources permit activities at the site.

TDEC's **Division of Solid Waste Management (DSWM)** has reviewed the Draft EA and has the following comments on the proposed action and its alternative:

- Based on the information available in TDEC's WasteBin database and files, DSWM did not identify any permitted, compliance, legacy, or enforcement solid or hazardous waste related issues within the site location.
- Under Section 3.10 "Waste Management," DSWM comments that the McNairy County Class III Landfill is currently not in operation and recommends that TVA include in the context of the Proposed Action Alternative in the Final EA that the disposal of nonhazardous waste will be appropriately managed at a Class I landfill or transported by a waste hauler to an operating Class I landfill.
- Under Section 3.10.2.2 "Proposed Action Alternative," DSWM comments that the amount of hazardous waste generated per month will determine the generator status and whether TVA and its contractors will be required to have an Environmental Protection Agency (EPA) generator identification number. DSWM comments that hazardous wastes generated during the construction phase that are then recycled will not be considered towards the amount of hazardous waste generated and recommends that any hazardous wastes that become contaminated be characterized to determine the appropriate method of disposal.

TDEC's **Office of Energy Programs (OEP)** has reviewed the Draft EA and has the following comments on the proposed action and its alternative:

- Under Section 3.6.2.2 "Proposed Action Alternative" and Section 3.7.2.2 "Proposed Action Alternative," OEP recommends TVA consider using electric-powered lawn equipment, which is as much as fifty percent (50%) quieter than traditional gas-operated models.¹
- OEP is supportive of another decentralized power supply in the state. In the event of an energy emergency, the site may provide an emergency source of electricity that could serve critical infrastructure and facilities (e.g., hospitals, shelters, food banks) in the region.

TDEC appreciates the opportunity to comment on this Draft EA. Please note that these comments are not indicative of approval or disapproval of the proposed action or its alternatives, nor should they be interpreted as an indication regarding future permitting decisions by TDEC. Please contact me should you have any questions regarding these comments.

Sincerely,



Dr. Kendra Abkowitz
Director of Policy and Planning
Phone: (615)-532-8689

cc: Mark Norton, TDEC, DoA
Lacey Hardin, TDEC, APC
Ron Zurawski, TDEC, TGS
Bill Avant, TDEC, TSP
Stephanie A. Williams, TDEC, DNA
James Sutherland, TDEC, DWR
Lisa Hughey, TDEC, DSWM
Molly Cripps, TDEC, OEP

¹Electric-powered lawn equipment has zero air emissions onsite, reduces petroleum-fuel purchases, and eliminates used oil waste. Lawn equipment could be charged on site with the energy generated.